

Statement of U.S. Representative Edward J. Markey (D-MA)
Ranking Democrat, House Subcommittee on Telecommunications and the Internet
Release of GAO Report
Research and Regulatory Efforts on Mobile Phone Health Issues
May 22, 2001

Good Morning. First I want to commend Senator Joe Lieberman of Connecticut for his excellent work on this issue and for his efforts to make the government more responsive to consumers and improve citizen access to information through his "e-government" initiatives. I am pleased to be here with him this morning and to join him as a co-requester of this General Accounting Office (GAO) report.

I also want to commend the GAO for their excellent work on this project. This report is thorough, well-researched, balanced, and provides important recommendations for action by Federal agencies.

In 1993, reports in certain national media outlets focused public attention on lingering questions about cell phones and health risks. When I held a briefing at that time, as then-chairman of the House Telecommunications and Finance Subcommittee, there were roughly 15 million people using such phones -- today there are over 100 million users of wireless phones.

This exponential growth in mobile phone use underscores that this service is less and less perceived as an ancillary, discretionary service. Consumers on a daily basis rely on mobile phones for safety, to conduct business, and to reach loved ones. In addition, our insistence on marketplace competition as our policy for wireless telecommunications has meant a precipitous drop in prices, allowing more and more Americans to spend more and more time on their mobile phones.

We must consider this phenomenon when looking at the lingering concern about alleged health risks associated with these devices. Consumers understandably want to know that when they use their phone they are not endangering their health. Obtaining an emphatic statement from scientific researchers has been elusive because much of the important research is ongoing.

I think it is important at this point to simply quote from the GAO report on the medical issue. The report states:

The consensus of the Food and Drug Administration (FDA), the World Health Organization, and other major health agencies is that the research to date does not show radiofrequency energy emitted from mobile phones to have adverse health effects but there is not yet enough information to conclude that they pose no risk.

This statement mirrors the response that I received on two occasions from the Food and Drug Administration after I inquired about alleged health risks associated with mobile phones. I had requested that the FDA respond to questions raising allegations of cancer, as well as concerns about headaches and ocular effects from prolonged use of mobile phones. In both May of 1997, and in January of 1998, I received responses from the FDA that were fairly similar; i.e., that no study could definitively point to any specific causal connection between mobile phone use and adverse health effects but that more study needed to be done.

In May of 1997 wrote me that [quote]: "In summary, there is currently no specific information that clearly indicates that use of cellular phones is a human health risk. On the other hand, there is not enough information to permit a determination that there is no health risk." Roughly a year later, I received another report from the FDA on the subject and they stated at that time [quote]: "[T]here is no

new information indicating that use of cellular phones is a human health risk. It is our hope that ongoing studies will shed some light on this important issue."

Today's GAO report is consistent with these previous Federal government statements on the state of medical knowledge of human exposure to radiofrequency radiation.

The reality is that the nature of the health risk is such that no lab study or epidemiological study will likely reveal any adverse health effects of radiofrequency radiation on humans, if any, except over the course of many years of tracking heavy users. As a result, in the short term millions of Americans will be required to make their own judgments about the level of risk and what precautions to take without the definitive conclusions available from the research community about the risk to human health.

The new cooperative agreement between the FDA and the cellular phone industry picks up where a previous industry-funded research effort ended amid controversy. This new agreement is outlined in the GAO report and several questions are raised that could compromise the credibility of this effort if not corrected.

In particular, there should be no question regarding the public's right to know whether the industry is following the research priorities set by the FDA. In addition, there should be unfettered and unquestioned access by the FDA to the results produced by any research. We don't want a situation to arise where results are not made public because the industry might find disclosure inconvenient or damaging. We intend to work with the FDA to reassure the public that this cooperative agreement is useful and that its research agenda is balanced and as independent as possible.

The GAO report gives us important insight into the Federal government's response to this issue and highlights a number of areas for improvement. It suggests that certain action be taken at the Federal Communications Commission (FCC), the FDA and elsewhere to improve the government's handling of this matter.

In brief, the GAO report recommends to the FCC that it: upgrade the Commission's consumer information program to avail consumers of access to clear, consistent and easily understood information about mobile phone radiofrequency exposure issues, develop a plan to secure additional personnel skilled in radiofrequency exposure and testing issues, standardize testing procedures for SAR (Specific Absorption Rate) to reduce variation in test results caused by lack of standardization, and, consult with the Food and Drug Administration (FDA) with respect to FDA's methods for incorporating measurement uncertainty in determining compliance with radiofrequency limits.

And the report recommends to the FDA that it: publicly report on the extent to which the cellular industry is following the FDA's recommendations for selecting and funding specific research proposals conducted under the cooperative research and development agreement (CRADA) between the FDA and CTIA, and, develop a new consumer update document that provides a current overview of the status of health issues and research related to mobile phones and to do so in an accessible and intelligible manner for the general public.

Finally, Senator Lieberman and I are transmitting these GAO recommendations to the relevant agencies with a few additional suggestions. Namely, we are requesting that the National Institutes of Health (NIH) work in conjunction with the FDA to ascertain whether the United States government should be supporting more research into possible adverse health effects of mobile phone use. In addition, we are also suggesting to the FCC and the FDA that they work to develop an integrated website for consumer information that is both up-to-date and accessible, along with perhaps a call center to respond to citizen

inquiries from those citizens lacking Internet access.

We will be following up with these agencies in the coming weeks and months to get their impression and response to the GAO's recommendations as well as the ideas that Senator Lieberman and I have suggested. Again, I want to commend Senator Lieberman for his work on this issue and I look forward to working closely with him on this issue in the future.

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